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Daniel A. Huber, Esq.

580 N STREET S. W.
SUITE 501
WASHINGTON, D.C. 20024
(202) 488-4505

~~RECEIVED - FCC~~

~~MAR 16 2004~~

~~Federal Communication Commission
Bureau / Office~~

Before the
Federal Communications Commission
Washington, D.C. 20054

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MAR 29 2004

Federal Communications Commission
Office of the Secretary

In the matter of

FAMILY BROADCASTING, INC.

Order to Show Cause Why the Licenses for
Stations WSTX(AM) and WSTX-FM,
Christiansted, U.S. Virgin Islands,
Should Not Be Revoked

EB Docket No. 01-39

To: Chief Administrative Law Judge
Richard L. Sippel

MOTION FOR CONTINUANCE

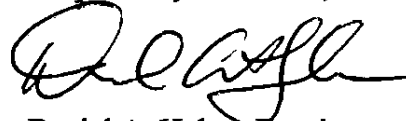
Family Broadcasting, Inc., by its attorney, hereby respectfully moves for continuance of the hearing date scheduled for March 16, 2004 in the above-captioned proceeding. In a related proceeding, In re Applications of FAMILY BROADCASTING, INC., Assignor, and CALEDONIA COMMUNICATIONS CORPORATION, Assignee, for Assignment of Licenses for WSTX(AM) and WSTX-FM, Christiansted, Virgin Islands, File No. BAL-20030304AAX and File No. BALH-20030304AAW, Family has requested the Commission to approve assignment of the licenses that are the subject of this hearing. It is established law that the Commission, in its attempt to ascertain at hearing whether a licensee continues to be a qualified licensee, it cannot make that decision in a vacuum. See LaRose and Swaggart v. FCC, 494 F.2d

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1145, 161 (U.S. App.D.C. 226), decided March 26, 1974. With respect to the Application for Assignment, the Commission staff initially rejected the Application for Assignment, however, that decision is the subject of a pending APPLICATION FOR REVIEW before the full Commission. Family believes that the full Commission will ultimately reverse the staff decision and grant Family's Application for Assignment under its existing distress sale policy.

Family believes that in the interest of fundamental fairness it should first be allowed to pursue its attempt to convince the Commission to apply its distress sale policy in this instance. Additionally, in the interest of preservatin of government resources it is appropriate to delay this hearing proceeding until the Commission has had an opportunity to determine whether to grant the related assignment application. In light of the foregoing, Family moves for continuance of the above-captioned proceeding, until such time as the full Commission has acted upon Family's application for a distress sale.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Huber', is written over the typed name.

Daniel A. Huber, Esquire
560 N Street, S.W.
Suite 501
Washington, D.C. 20024

March 16, 2004

CERTIFICATE OF SERVICE

I, Daniel A. Huber, do hereby certify that copies of the foregoing have been sent via first class, U.S. mail, postage prepaid, this 16th day of March, 2004, to the following:

Hon. Michael K. Powell, Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Hon. Kathleen Abernathy, Commissioner
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Hon. Michael J. Copps, Commissioner
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Hon. Kevin J. Martin, Commissioner
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Hon. Jonathan S. Adelstein, Commissioner
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

W. Kenneth Ferree, Chief
Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Peter Doyle, Chief
Audio Division, Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Maureen Del Duca, Chief
James Shook, Esq.
Investigations/Hearing Division
Enforcement Bureau
Federal Communications Commission
445 12th Street, S.W.
Room 3-B443
Washington, D.C. 20554

Hon. Richard L. Sippel
Chief Administrative Law Judge
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Howard J. Braun, Esq.
Shelley Sadowsky, Esq.
Katten Muchin Zavis Rosenman
1025 Thomas Jefferson St., N.W.
Suite 700, East Lobby
Washington, D.C. 20007

Mr. Robert Hoffman
P.O. Box 24704
Christiansted, St. Croix, USVI 00824

Mr. Joseph Bahr
77 Estate Castle Coakley
Christiansted, St. Croix, USVI 00823

Lee J. Rohn, Esq.
1101 King Street
Suite 2
Christiansted, St. Croix, USV 00820-4933



Daniel A. Huber